

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/085,655	YAMAGUCHI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ting Zhou	2173	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 26 June 2006.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

### **DETAILED ACTION**

1. The Request for Continued Examination (RCE) filed on 23 June 2006 under 37 CFR 1.53(d) based on parent Application No. 10/085,655 is acceptable and a RCE has been established. An action on the RCE follows.
2. The amendments filed on 30 May 2006, submitted with the filing of the RCE have been received and entered. Claims 1-8 as amended are pending in the application.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Thomas Presson (Reg. No. 41,442) on 8 September 2006.

4. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Add the label "Prior Art" to each of Figures 1-3. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

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5. The Patent and Trademark Office no longer makes drawing changes. See 1017 O.G. 4.

It is applicant's responsibility to ensure that the drawings are corrected. Corrections must be made in accordance with the instructions below.

## **INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

### **Replacement Drawing Sheets**

Drawing changes must be made by presenting replacement sheets which incorporate the desired changes and which comply with 37 CFR 1.84. An explanation of the changes made must be presented either in the drawing amendments section, or remarks, section of the amendment paper. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). A replacement sheet must include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of the amended drawing(s) must not be labeled as "amended." If the changes to the drawing figure(s) are not accepted by the examiner, applicant will be notified of any required corrective action in the next Office action. No further drawing submission will be required, unless applicant is notified.

Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and within the top margin.

### **Annotated Drawing Sheets**

A marked-up copy of any amended drawing figure, including annotations indicating the changes made, may be submitted or required by the examiner. The annotated drawing sheet(s) must be clearly labeled as "Annotated Sheet" and must be presented in the amendment or remarks section that explains the change(s) to the drawings.

### **Timing of Corrections**

Applicant is required to submit acceptable corrected drawings within the time period set in the Office action. See 37 CFR 1.85(a). Failure to take corrective action within the set period will result in ABANDONMENT of the application.

If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the

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“Notice of Allowability.” Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136 for filing the corrected drawings after the mailing of a Notice of Allowability.

6. The application has been amended as follows:

7. The *Title* of the invention has been amended as follows:

8. Amend the title to read as:

“An information processing device for processing information based on a status monitoring program and method therefor”

9. The *Specification* has been amended as follows:

10. The description of Figure 1 in the “Brief Description of the Drawings” section on line 14 of page 5 of the specification has been amended to read:

Fig.1 is a prior art view showing a specific example of a guide status.

11. The description of Figure 2 in the “Brief Description of the Drawings” section on line 15 of page 5 of the specification has been amended to read:

Fig.2 is a prior art view showing a specific example of a list view status.

12. The description of Figure 3 in the “Brief Description of the Drawings” section on line 16 of page 5 of the specification has been amended to read:

Fig.3 is a prior art view showing status transition of a jog dial-incompatible application.

***Allowable Subject Matter***

13. Claims 1-8 are allowed.

14. The following is an examiner's statement of reasons for allowance: The present invention teaches enabling operations with a jog dial to applications that are incompatible with a jog dial by using script language. Each of the independent claims identifies the distinct feature of performing a first operation and a second operation, wherein the status shift corresponds to a first operation pulse and a second operation pulse calculated by the status monitor program. The closest prior art, Lee U.S. Patent 5,999,169, Eisen et al. U.S. Patent 5,523,754 (hereinafter "Eisen") and Durbin U.S. Patent 6,453,270 teach the monitoring of input operations and information relating to incompatible applications that are to be executed in order to execute the operation. In the case of the Lee reference, Lee teaches server means for monitoring an operation notification by the input device (the computer GUI receives an input command signal) (Lee: column 2, lines 63-67 through column 3, line 1) and determining and executing the operation based on the operation notification (upon receiving an input signal, the signal is demultiplexed into a first and second signal to determine the two-dimensional movement of the input and the input is operated according to the determined two-dimensional movement) (Lee: column 3, lines 8-38), wherein the server means loads, at the time of start-up, a script file describing a status transition of the input device in the script language, the status transition represents how each status shifts in a particular situation (the driver determines how each input corresponds to an associated output) (Lee: column 3, lines 24-41 and column 4, lines 20-59), reads the status transition corresponding to the operation of the input device, and executes the operation corresponding to the read status transition thus read (upon receiving input signals from

input devices such as a mouse or a TrackPoint device, the GUI's support software handles the signals by sending the signals to a mouse driver which demultiplexes the signals to represent two dimensional movements of the input device, thus providing the appropriate outputs, such as scrolling up/down, moving forward/backward, etc.) (Lee: column 3, lines 24-41 and column 4, lines 20-59). In the case of the Eisen reference, Eisen teaches the status transition based on hardware that can be supported by changing the script file and information relating to incompatible applications (applications/processes can be executed and data input using different hardware mapping via changing the script file, i.e. remapping the input device; for example, updating the LKP Table and remapping the keyboard in order to support incompatible, i.e. different user selected languages/keyboards to be used with particular applications) (Eisen: column 1, line 52-column 2, line 2 and column 3, lines 1-67). In the case of the Durbin reference, Durbin teaches execution means for executing a status monitoring program for monitoring a difference in quantities of a first counter and a second counter based on polling which indicates a status shift for a particular situation (monitor units for monitoring the status of network components via polling; the status monitoring units compare values to determine differences, i.e. discrepancies that indicate a status change such as the determination of a full condition) (Durbin: column 3, line 24-50, column 4, line 37-43, column 6, lines 26-32 and column 11, line 53-column 12, line 63). However, the prior art fails to teach the input device performing a first operation and an second operation in which the status shift corresponds to a first operation pulse and a second operation pulse calculated by the status monitor program. Thus, the prior art fails to anticipate or render the above limitations obvious.

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15. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ



Kieu D. Vu

Primary Examiner